

COMMISSION CONFERENCE**JUNE 4, 2002**

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Present: Mayor Naugle
Commissioners Hutchinson, Katz, Moore, and Smith

Also Present: City Manager, City Attorney, City Clerk, and Police Sergeant

Mayor Naugle announced that the City Commission would meet privately regarding litigation strategy in connection with the following cases:

1. Elgin Jones v City of Fort Lauderdale (Case No. 02-60652-CIV-GRAHAM)
2. Carole Grant v City of Fort Lauderdale (Case No. 00-022051[07])

The meeting was recessed at 1:31 p.m. It was reconvened at 2:30 p.m.

I-A – Area Agency on Aging of Broward County

A discussion was scheduled about the Area Agency on Aging of Broward County's request for social funding for fiscal year 2002/2003, as requested by Commissioner Katz. Mayor Naugle had no objection to granting this funding at last year's level. Commissioner Hutchinson did not have a problem with it, but she had tried to present three similar requests, but she had been told they could only be considered during the budget process. Mayor Naugle believed the contemplated action was to include this in the budget.

Commissioner Moore did not feel this was the appropriate method, although he supported the Area Agency on Aging. However, there were a number of other worthwhile organizations, and he felt the taxpayers should decide what charitable contributions they wished to make. It was the consensus of the Commission to approve funding at last year's level.

Action: Funding approved at last year's level.

I-B – Results of City Commission Workshop on Economic Development

A presentation was scheduled on the results of the City Commission workshop on economic development held on May 8, 2002, along with a discussion on the upcoming charrette on economic development.

At 2:34 p.m., Commissioner Moore left the meeting. He returned at 2:35 p.m.

The City Manager advised that a summary of the workshop had been distributed, and he had received a proposal for a facilitator for the charrette. He stated that the proposal had not been solicited, and if the Commission decided to go in that direction, it could be considered further. He advised that it had actually been submitted with respect to a strategic planning workshop and issues of physical development. The City Manager said he mentioned it because parts of it related to economic development.

Ms. Bevan Gray-Rogel, Consultant, suggested that the Commission review and confirm the understandings reflected in the summary notes from the May 8, 2002 workshop that had been distributed.

Mr. Don Upton stated that the objectives of the workshop had been to:

- Understand economic development stakeholders' perspectives on economic development based on interviews;
- Develop a common understanding of economic development;
- Discuss the current and future state of Fort Lauderdale as it relates to economic development;
- Identify three to five strategic, long term economic development goals; and
- Determine what must be in place to accomplish those goals.

He advised that a few key findings had been discovered during interviews with stakeholders, including a general enthusiasm about the line of leadership of the City to move economic development forward and bring together similar interests. He advised that leadership had been the top priority, followed by the formation of partnerships; efficiencies in terms of shared resources and elimination of duplicated efforts; improved customer service; business/private sector engagement; and creating a plan with broad community consensus.

Ms. Gray-Rogel pointed out that the key points had been summarized, as well as the agreements and decisions made by the Commission during the workshop. She referred to pages 6 and 7 of the summary, which listed the strategic economic developments areas of focus or goals for economic development. They had been itemized under four basic categories, including diversification of the economic base; provision of necessary infrastructure for optimal economic development and quality of life; enhancement of the business climate; and, development of a workforce to satisfy existing and future business needs and create a solid base of high value jobs.

Ms. Gray-Rogel recalled that the Commission had also agreed upon several critical success factors, including:

- A qualified Economic Development professional;
- A focus on collaborative partnerships with other economic development stakeholders;
- A commitment to customer service;
- A long term plan and vision for the City; and
- Common data to drive decisions about economic development.

She stated that the Commission had then agreed on some steps to take in the near future. Those had included:

- Identification of the qualifications for an economic development professional for hire as soon as possible;
- To foster strategic partnerships by financially committing to the Broward Alliance and the Greater Chamber of Commerce; and
- Continuation of the economic development planning process by convening a charrette with stakeholders.

Ms. Gray-Rogel noted that the second phase of this process was outlined in the back-up material under the title "Partnering for Economic Success." It outlined goals for the project and strategic roles in the project. Commissioner Smith wondered if there would be as many as 100 participants in the charrette. *Ms. Gray-Rogel* thought it could be that many, depending on the Steering Committee to coordinate the partnerships and seek the desired outcome.

Mayor Naugle wondered if the Economic Development Advisory Board could serve as the Steering Committee. Commissioner Smith felt the Steering Committee should include representatives from the Downtown Development Authority (DDA). Mayor Naugle suggested additional representation of the uptown area, the downtown area, the marine industry, and the hospitality industry.

Commissioner Katz inquired about the cost. Mr. Pete Witschen, Assistant City Manager, stated that there were funds available, and he would provide hourly figures for the consultants. It was the consensus to include representatives from the areas and industries mentioned, and Mr. Witschen said staff would provide a recap of the groups, and the Commission could let them know if they felt anyone had been overlooked. Commissioner Moore suggested representation from the midtown area and from Sister Cities International.

Mayor Naugle wondered how long it would take to hire an economic development professional. Mr. Witschen thought a recommendation for qualifications for an Economic Development Director could be presented at the Commission's next meeting, and recruitment could then proceed.

Commissioner Moore did not think it made any sense to have an Economic Development Director hired by the City. He recalled that this had been done before, but it had not worked out, and there were no outcome measurements. Commissioner Moore preferred to use the money in other ways to best deal with economic development, rather than funding a dysfunctional department.

Commissioner Smith felt there had to be some key person to coordinate the efforts. Commissioner Moore pointed out that did not have to be a City's staff person. He stated that the South Florida Regional Planning Council had an economic development plan for the entire region and coordinated it. In addition, the City funded the Broward Alliance and the Chamber of Commerce. Commissioner Katz did not agree with Commissioner Moore and noted that the cities of Sunrise and Miramar had been successful in this respect. Commissioner Moore preferred that someone who had the support of all the partners handle the coordination, and Commissioner Smith suggested that the Steering Committee be asked for a recommendation in this regard. Mayor Naugle thought the issue would best be addressed by all the stakeholders during the charrette. It was agreed.

At 2:51 p.m., Commissioner Moore left the meeting.

Commissioner Smith understood the consultants would be back in September. Ms. Gray-Rogel stated that the plan was to hold the charrette in July, with results ready by September. Commissioner Smith noted that it was difficult to do a great deal in August, and Mayor Naugle was not sure that schedule was realistic. The City Manager suggested that staff be permitted to present a more realistic schedule.

The City Manager noted that although there had been agreement during the workshop that an economic development professional was in order, there had not been agreement as to whether that person should be a City employee or not. Commissioner Katz added that such a professional's expertise and qualifications should be had not been discussed at the workshop either. Commissioner Smith noted that Scott Adams had been great, but another community had lured him away.

Action: As discussed.

At 2:53 p.m., Commissioner Moore returned to the meeting.

I-C – Approval Process for Development Projects

A discussion was scheduled on the approval process for development projects in the City. Mayor Naugle said he wanted to share an idea with the Commission about rescinding the authority of City staff to allow changes to DRC or Planning & Zoning Board approved projects. He advised that those approvals were then heard by the City Commission, but the current process allowed staff to allow a certain percentage of changes. Mayor Naugle cited the Riverside Hotel as an example.

Mayor Naugle said his intention was not to discuss the discrepancy related to the setback of the Riverside Hotel from the River, although a 92' setback had been represented, and there was only a 29' setback. However, plans had been supported by the Planning and Zoning Board and affirmed by the City Commission through the absence of call up, and almost everyone he had talked to had not been pleased with the outcome. Further, members of the Board had indicated to him that the building was not really what the Board had thought it would be. Mayor Naugle believed that was because a different building than that approved had been constructed.

Mayor Naugle stated that features contained in the approved plans were missing on all four sides of the new building, but he intended to focus only on the front and rear. He displayed a view of the building from Las Olas Boulevard, with a copy of the plans. Mayor Naugle pointed out that a double column of windows had been shown on the plans, but they had been eliminated in favor of industrial air vents.

Commissioner Smith understood the height and footprint of the building remained unchanged. Mayor Naugle advised that was not exactly true on the front, as there was a protrusion into the setback that had not been shown on the approved plans. In addition, the building had been moved closer to the River. He said he had been told that some value engineering had been done to save money by way of explanation. Mayor Naugle noted that anyone who had ever obtained a building permit in Fort Lauderdale had probably failed one inspection or another. In fact, when building his own house, he had moved a dryer from one wall to another so the dryer vent had to be moved, and he had been required to submit new plans.

Mayor Naugle pointed out that an entirely different building than shown on the approved plans had been constructed in the case of the Riverside Hotel, but it had not been stopped during the inspection process. Commissioner Smith understood other features would be provided to mitigate the changes. He suggested Mayor Naugle share his plan to address the situation. Mayor Naugle felt staff's authority to allow changes to plans should be temporarily rescinded until the Commission could come up with a better way to address changes that allowed for some sort of public input. He did not feel staff should have the authority to allow changes up to 10% because they were not protecting the public. Mayor Naugle pointed out that this problem had arisen on other projects as well, including Beach Place and New River Village.

Commissioner Smith understood the 10% related to the volume of the building, so he supported Mayor Naugle's idea if he were referring to the height of buildings. He did not, however, believe that staff had ever administratively allowed an increase in the height of buildings. Mayor Naugle stated that he was not referring to height. Commissioner Smith stated that he did not agree that any change to plans should have to go back to the Board or the Commission. He explained that as a landscaper, he often came across a situation in which a certain tree species was planned but was later found to be unavailable in the marketplace. Mayor Naugle pointed out that he had also not been referring to landscaping. He was specifically interested in elevations and setbacks, and Commissioner Smith had mentioned height.

Commissioner Smith thought Mayor Naugle was making more of the situation with the Riverside Hotel than actually existed. He felt a few changes had been made, and the plans showed the building 29' from the River at the corner. Mayor Naugle did not believe that plan had been shown to the City Commission. Ms. Cecelia Hollar, Construction Services, advised it had been sent to the Planning and Zoning Board, and the Commission had not called it up.

Mayor Naugle reiterated that his intent had not been to discuss the setback issue at the Riverside Hotel. Rather, he wanted the Commission to consider rescinding the authority of the DRC to grant changes to plans that had already been approved. He did not feel the public was being adequately protected, and the Riverside Hotel as built was not what had been approved. Further, Mayor Naugle thought 95% of the City's residents would agree.

Commissioner Katz did not feel buildings should be judged on whether or not the Commission liked them or not, but she believed there were some problems with how much of a change could be allowed without the Commission being informed. She thought the 10% rule was subjective, as she was not sure if that meant 10% of height, volume, or square footage. Commissioner Katz felt perhaps there should be some way for the Commission to review changes, but she did not want every single thing coming back to the Commission or delay redevelopment. Commissioner Smith agreed there were a million details in a building project of this nature, and the whole process would grind to a halt if every change had to be approved by the Commission.

Mayor Naugle explained that he wanted to temporarily rescind staff's authority to approve changes until the Commission could quantify changes and put a process into place. Commissioner Smith felt the question was whether or not the Commission trusted its professionals. Mayor Naugle did not. Commissioner Smith did, and he pointed out that staff was on the same team as the Commission. Mayor Naugle felt there were a lot of things going on in the department, and if the situation could not be corrected, he thought it might be necessary to privatize the Building Department.

Commissioner Hutchinson said this was not a matter of distrust for her but, once changes reached a certain threshold, the Commission should have been made aware. Commissioner Smith asked her what threshold she felt would be appropriate. Commissioner Hutchinson did not know, and Commissioner Smith suggested that the professionals be allowed to provide a recommendation in this regard.

Commissioner Moore felt three-dimensional imaging would be the best approach so everyone knew exactly what was being proposed. The City Manager advised that policy had been established, although the Riverside Hotel project had preceded its adoption. Ms. Hollar agreed that was now required. Commissioner Hutchinson noted that even if a model had been presented, changes could still be made.

Mr. Chris Barton, Construction Services, clarified that drawings or aerial views from various angles were requested to show all four sides of the building. Commissioner Moore asked what size developments were required to provide that information, and Mr. Barton advised that was a judgment call. He stated that these things had been required of some fairly small buildings and of some that were not in the downtown area, such as the Hospital expansion.

Mayor Naugle thought the size should be better defined. Commissioner Smith felt it should be attached to the level of review required. Commissioner Moore suggested that staff be allowed to provide a recommendation as to what a 10% deviation meant. Commissioner Smith said he had made some inquiries and learned that the 10% related to the size of the building, so staff could make an administrative change as to height, width or square footage if the proposal represented less than 10% of a building's size.

Ms. Hollar reported that staff was keeping a log of administrative reviews, and they had gone back to 2000/2001. She advised that about 250 total had been identified. Mayor Naugle believed New River Village was one building that had been permitted to be bigger. Commissioner Smith did not recall phase one getting any larger. Mayor Naugle believed the project had gone from 7 stories to 9 stories. Ms. Hollar could not address that project specifically because she had not been involved, but the Code allowed a 10% increase or decrease. However, staff had a policy not to accept requests for administrative amendments that would increase the habitable area.

Commissioner Smith understood that if the Commission approved a building of a certain height, staff would not make administrative changes to make it any bigger. Ms. Hollar agreed that was correct. She noted that the Riverside Hotel had made the 10% threshold for an administrative ruling, but the request had not been presented until after construction. Mayor Naugle felt the inspector should have caught it during the inspection process. He said he had been told by the architect that value engineering had been done on the Riverside Hotel to cheapen the building, and the result was a building that was considerably less attractive than that approved.

Commissioner Smith asked how staff quantified minor v major adjustments. Ms. Hollar referred to the Pelican Beach Hotel as an example. She stated that the developer had wanted to change the design and proposed a decrease in the height of the building beyond 10%, but staff could not approve it even though it had been a positive modification.

At 3:18 p.m., Commissioner Moore left the meeting. He returned at 3:20 p.m.

Ms. Hollar recommended that staff be allowed to approve height decreases and setback increases, and she explained that when features were proposed for change, staff considered the purposes of the original features. Mayor Naugle asked if the windows at the Riverside Hotel that were removed were going to be replaced. Ms. Hollar understood something similar would be provided. She added that the architect of record should have notified the City of the change. She explained that inspections were conducted when they were requested, but sometimes they were not requested until something was constructed. Mayor Naugle asked if the City could make the developer put the windows in, and Ms. Hollar said that was the Commission's call, although there had been administrative approval in accordance with the Code.

Commissioner Moore understood some architectural changes had been made that had been administratively required. Ms. Hollar agreed that was correct, and Mayor Naugle said he had been aware of those, but his concern was the windows. Commissioner Smith noted that they were on the parking garage, and he understood some additional balconies would be provided.

Mr. Barton stated that some Bahamas style shutters would be installed in some of the openings, and he pointed out some other awnings and features. Commissioner Moore felt this was a good example of why this type of thing should be handled administratively. He understood there had been architectural changes required.

Mr. Bennett Zarron did not feel staff should be penalized. He felt that when developers did things they were not supposed to do, their projects should be shut down. He believed that if that happened, the developers would stop changing things after approval and after construction. Mr. Zarron suggested that there be disincentives to modify proposals. Mayor Naugle understood the developers were building whatever they wished and then obtaining administrative approval after the fact without those things ever coming back to the Commission. Mr. Zarron felt the developer should be held accountable, and he thought staff was as tough as possible on the review side. He believed developers would seek the required reviews if they thought work would be shut down in the middle of a project if they failed to do so.

Mayor Naugle believed that under the current system, it was less expensive to come in and ask for forgiveness after the fact. He felt this was the reason why the City was seeing poor designs, such as Beach Place. Mayor Naugle stated that the Planning & Zoning Board and the Commission had been shown one elevation for the garage, but staff allowed changes after value engineering had been done to save money. Commissioner Smith believed that had occurred decades ago, and Mayor Naugle said it had been less than 10 years ago.

Mr. Gene Ingles, of the Harbordale area, said area residents had grown more and more concerned as this big, brick wall was being constructed at the Riverside Hotel. He stated that a similar situation had occurred in Harbordale when a building had been constructed that had not matched the drawings that had been approved. Mr. Ingles stated that the matter had been referred to the City Manager, and he thought that was what should be done now with the Riverside Hotel.

Mr. Courtney Callahan said she was an Attorney representing a few projects taking place downtown. She thought there should at least be some more clarification on administrative review procedures and guidelines. Ms. Callahan did not feel subjecting developers to a lengthy process to move a stairway or a window would be appropriate, however. Mayor Naugle felt she was overstating the situation, and no one was suggesting that. Ms. Callahan said she had been under the impression that zoning in progress was under consideration, along with rescinding staff's authority. Therefore, if an issue arose, such as a setback being a few inches off, a project would be stopped. Mayor Naugle said he only wanted changes brought back to the Commission. Ms. Callahan felt this would be very troublesome for contractors and developers, and she thought it would impact development throughout the City.

Commissioner Smith thought it would take months for something to go back to the Commission, particularly with the length of the meetings lately. Commissioner Katz suggested that staff come back with some suggestions for consideration to address the problem instead of stopping everything in process. She did not support the idea of zoning in progress in the meantime. Commissioner Hutchinson thought that in the interim, if major changes were proposed to a project, staff could inform the applicable Commissioner.

Mr. Hollar stated that when there were major changes, staff did not approve. Mayor Naugle asked why that had not happened with the Riverside Hotel. Ms. Hollar advised that there had not been that many changes on that project, although there had been 57 changes in another recent project. Mayor Naugle thought there had been about 40 or 50 changes. Commissioner Smith believed there had been only a few. Mayor Naugle reiterated that the setback had been shown as 92 feet from the River, but it was actually only 29 feet. Commissioner Smith did not believe that was true.

Commissioner Moore stated that he loved the building, and he supported the idea of staff providing some recommendations for consideration and, in the meantime, they could notify the district Commissioner if major changes were proposed to a development.

Mr. Gary Sieger stated that administrative reviews were very tough. In fact, he had been involved in a project, and the intent had been to remove 3 stories, but staff had not been allowed to approve it because it was more than 10%. He stated that there had not been enough time to go back through the process, so the building had been constructed with the 3 extra stories. He felt there should be some way to address those types of issues in a more timely fashion.

Mr. Richard Zipes, Las Olas Riverhouse, thought this discussion was an “I hate the Riverside Hotel,” but he believed the City had a remedy in the form of issuing Certificate of Occupancies. He believed City staff was very competent, and he did not support the idea of an additional layer of bureaucracy by rescinding staff’s authority to address minor alterations. Further, he did not believe developers could afford the extra months involved in the process.

Commissioner Hutchinson asked when the road adjacent to the Riverside Hotel would be reopened. Mr. Greg Kisela, Assistant City Manager, said he would check with Tim Welch. Mayor Naugle added that he had a copy of the exhibit that had been provided to the Planning & Zoning Board, which indicated that the garage would be set back 92’ from the River.

Action: Staff to present recommendation in 30 days. District Commissioner to be notified of changes in projects in the interim.

I-D – Fort Lauderdale Beach Transportation Improvements/Remote Parking and Shuttle Project Development and Environmental (PD&E) Study and Assessment of Funding Opportunities

A presentation was scheduled by Keith & Schnars, P.A. on the results of its investigation for potential funding opportunities to implement, operate and maintain the proposed Fort Lauderdale Beach Remote Parking and Shuttle System, and recommendations for proceeding with tasks under the second phase of the study to develop a detailed plan for all aspects of the system and pursuit of a Letter of No Prejudice (LONP) from the Federal Transit Administration (FTA). The City Manager noted that a written report had been provided.

Commissioner Smith thought this was wonderful, although the funding source seemed very complicated. He distributed copies of a report about how West Palm Beach had funded its trolley system between Clematis Street and City Place, along with its downtown trolley effort. He believed the City was on the right track toward essential mass transit in the downtown and at the beach. Commissioner Smith noted that the Commission had reached consensus on a dedicated trolley lane on A-1-A. Mayor Naugle believed the Commission had conceptually approved the idea, but there would have to be public hearings. Commissioner Smith agreed that was correct.

Commissioner Smith pointed out that a request was being made of the federal government for \$5 million to purchase the vehicles, and a developer was building a hub for transit vehicles. He wondered if there should be some sort of demonstration project or trial in terms of closing the lane of A-1-A closest to the sand, perhaps in August. Mayor Naugle thought it might be better to do a trial when the bypass route was in place.

Mr. Dennis Girisgen, Project Engineer, stated that the subject had been considered during the study, and the initial assessment was that it would be necessary to be careful about impacts to traffic already experiencing major back ups during peak hours. He thought the idea of a trial during the day during off-peak hours could be considered. Mr. Girisgen asked Commissioner Smith if he was suggesting that the City acquire the transit vehicles now. Commissioner Smith thought at least one could be acquired locally.

Mayor Naugle thought a trial for a dedicated lane now might generate unnecessary opposition to a dedicated lane in the future without the bypass in place. Commissioner Smith said that was why he thought August would be a good time for a trial because the town was slower in the summer. He suggested a 30-day trial period.

Commissioner Hutchinson was not sure how the lane would be closed, and she was concerned about how a chain link fence and/or barricades would look. Commissioner Smith thought the attractive FDOT barrels could be utilized for a two-week or 30-day trial period. The City Manager suggested that staff examine the idea and provide a recommendation.

Commissioner Katz felt this had been a phenomenal study of all the possibilities and potential funding sources, and she wondered if it would be appropriate for Keith & Schnars to keep a handle on all the related issues, such as the Subarea Mobility Study, in order to keep track of the different requests for federal funding.

Mr. Barry Goodman, Consultant, stated that the commitment of the City to lend itself to a more pedestrian/transit environment opened the door to acquire federal funds and utilize tools that enabled the capture of local value to leverage federal funds that might otherwise be lost in order to connect the transit terminal parking structures. He stated that the beach parking access study was part of a comprehensive program that should be connected with the downtown area and the Sistrunk district. Mr. Goodman said the intent was to provide a comprehensive mobility strategy that tied everything together, and that would bring more federal money that could be prioritized on a year-to-year basis.

Commissioner Hutchinson asked how the Las Olas Corridor Study could be linked to this study. Mr. Goodman recommended that over the next 6 to 8 months there be combined meetings on every different study that had been initiated. He believed there were at least 8 such studies, and those included studies related to revitalization of the community, creating better pedestrian access, transportation, master planning, design guidelines, etc., in order to maximize the total amount of potential federal funding.

The City Manager felt the City had been very fortunate in selecting Keith & Schnars, and Mr. Goodman was perhaps the preeminent purveyor of funds from the federal government related to transportation. He noted that opportunities to leverage dollars were being sought, and he thought the City was on the right track. Commissioner Moore provided copies of a White Paper done by the Regional Transportation Authority, which was very informative, although it omitted I-95 and 62nd Street. He also wanted to examine the livability and connectability of all quadrants of the City.

Action: As discussed.

I-E – Federal Funding for Mass Transit and Transportation Improvements

A discussion was scheduled about the status of the City's request for federal funding for mass transit and transportation improvements, as requested by Commissioners Katz and Smith. Commissioner Smith wondered when a decision on the funding would be made. Mr. Goodman stated that the House Appropriations Subcommittee would meet, and the results would be published in the Federal Register. Congressman Shaw would also be notified, and then the Senate went through the same process, followed by a Conference Committee. He advised that about 30% to 40% of the regional requests would be funded.

Action: Approved.

I-F – Transit Oriented Projects and Priorities

A discussion was scheduled on Broward County's list of transit-oriented projects and the drafted list of existing and proposed transit projects for the "Eastern Core Transportation Management Concurrency District."

Mayor Naugle desired strong language on the viability of the FEC in the future. Commissioner Smith wanted to ensure the ability existed to carve the CRA out of the need for impact fees, transit and others.

At 3:59 p.m., Commissioner Moore left the meeting.

Commissioner Katz inquired about the chart included with the back-up material. Mr. Bruce Chatterton, Planning & Zoning Services Manager, explained that was part of the County's proposed move away from a transportation concurrency exception area to a transit-based concurrency system. The County had asked cities to compile lists of projects that might be appropriate for concurrency funding, and a drafted list had been provided.

Commissioner Smith understood that when impact fees on development in Fort Lauderdale, the money went to the County. He asked if there was a one-for-one payback to the City. Mr. Chatterton explained that the system did not really respect cities as such. Ms. Sheryl Stolzenberg, Project Planner, stated that the County proposed that developer contributions from the individual districts would stay within those districts for the projects listed.

Commissioner Katz noted that many of the pedestrian improvement projects on the list were all in one area. She wondered if some pedestrian improvements could be done in other areas. Mr. Chatterton stated that other projects could be added. Ms. Stolzenberg stated that the list basically consisted of projects staff knew about, but others could be considered. She asked that any suggestions be provided within the next two weeks.

Action: As discussed.

**I-G – Fort Lauderdale Aquatics Complex –
Proposed Concept Plan from Boca Resorts, Inc.**

A presentation was scheduled by Boca Resorts, Inc. on its proposed concept plan for the Fort Lauderdale Aquatics Complex.

At 4:02 p.m., Commissioner Moore returned to the meeting.

Mr. Jim Blosser, representing Boca Resorts, Inc., stated that a concept had been developed to redevelop the current aquatic complex along with the overall redevelopment of the south beach area. With that in mind, and despite the limited timeframe, a concept had been developed that would allow the City to have a world class, potentially Olympic quality aquatics center, and a transportation hub for the south beach area. He noted that the concept considered the Boat Show, the public economic interests, and the private interests as well.

Mr. Bob Dugan, Architect, described the proposal as detailed in the May 22, 2002 letter to the Commission from Jim Blosser and displayed renderings and a potential site plan. He noted the parking beneath the facility and the features and amenities that would accommodate the Boat Show. Mr. Dugan pointed out an intermodal transportation element and the support facilities around the property. He stated that the essential premise of the proposal was to preserve the City's programming and open space on the beach.

Mayor Naugle understood another proposal had been submitted to the City, and another option would be to simply rebuild the existing facility with future tax increment funds. He preferred to rebuild the facility as the monies became available. Mayor Naugle had thought the City wanted to get away from providing a lot of parking in order to encourage mass transit and use of existing parking. He believed that would make the project more economically feasible and avoid the need to condemn any properties.

Commissioner Hutchinson believed there was something on the Regular Agenda tonight about ULI, and she wondered how this fit into that idea. Mayor Naugle thought this could be one of the things that could be considered. Commissioner Katz felt the City should just go ahead and start preparing designs and specifications as mentioned in the back-up material. It was the consensus of the Commission to accept the recommendation to go forward with design specifications and develop a funding plan. Commissioner Katz felt it would be great if someone wanted to contribute, but she thought it was time to go forward.

Commissioner Moore thought entertaining this particular proposal demonstrated that there was an opportunity for individuals to communicate with one another. He supported methods of addressing the transportation issue in order to “connect all the dots.” Commissioner Moore also believed it made sense to find some way to connect the dots at the beach. He thought Fort Lauderdale should provide the leadership to developers interested in developing publicly- or privately-owned property. Commissioner Moore saw no reason why this developer would build unless it gained some control over the current Swimming Hall of Fame site. Commissioner Hutchinson did not think that was true.

Commissioner Moore asked Mr. Blosser if he would be willing to spend the up-front money for the redesign of the Hall of Fame unless he could also develop that site. Mr. Blosser stated that for the past several weeks, the proposal presented today had been developed at his expense. Commissioner Smith believed the recommendation today called for further enhanced design drawings, which cost about \$50,000. He thought staff was suggesting the City pay that cost.

The City Manager thought \$50,000 was probably not enough. Mr. Chuck Adams, Redevelopment Services Manager, advised that the cost had not yet been estimated. Commissioner Moore asked if this concept would be further refined and designed. Mayor Naugle believed the idea was to redesign the existing Swimming Hall of Fame at grade. Commissioner Smith did not think the CRA could provide the \$16 million that project would cost. Mayor Naugle thought future tax increment monies could be used, and that would be generated by projects such as the redevelopment of Bahia Mar. Commissioner Smith inquired about the timetable for that, and Mayor Naugle estimated between 5 to 10 years.

Commissioner Smith understood the idea was for the City to spend \$100,000 to design a facility that might get funding in 10 years. Commissioner Moore felt the City should find a way to get the players to the table for discussion, but he did not see a need to spend this money on a design at this point. He thought the entire area should be considered.

Mayor Naugle suggested that this be included in the ULI Study and defer spending any money now until it was completed. Commissioner Katz thought connections and the marina could be provided while still redesigning the pool itself. She did not think the pool would change. Commissioner Smith did not see the point of spending money on the design when there was no money to build it.

Commissioner Moore wanted to find a point person in the City to deal with the developers who were interested and determine how to work together to redevelop the area. Mayor Naugle did not believe there was community support for a land swap at the end of the peninsula. Commissioner Moore had not mentioned that idea.

Mr. Ron Mastriana understood the Commission would prefer not to accept a donation of \$19 million for an exchange, and that was fine, because this proposal would increase the value of the property he represented. He stated that over \$50,000 had been spent on developing his proposal this far, and he wanted to donate those efforts to the City because the pool facility had been designed in accordance with all the meetings held and in detail. Commissioners Katz and Smith were pleased with the offer.

Mr. Blosser said he, too, would be happy to participate in the ULI process and focus on a “what’s best for the City plan,” because this proposal represented a three-way partnership among the Boat Show, the City and Bahia Mar.

Commissioner Katz pointed out that when the Bahia Mar lease was renegotiated, it would be a separate issue from the pool. Commissioner Hutchinson agreed it should be. Commissioner Katz did not want Mr. Blosser to go forward with the idea that it would all be tied together. Mayor Naugle thought the City would have to rebuild the aquatics complex alone and not swap any property. He advised that the Commission had received a letter opposing any land swap from the Idlewyld Association, the Swap Shop, and the Illini and Venetian Condominiums. Commissioner Moore added that he was not suggesting any land swap, but a cooperative effort to deal with the entire site.

Mayor Naugle wondered if there was a majority of the Commission who wanted to allow development on the peninsula. Commissioner Hutchinson said she was willing to let everyone discuss various ideas during the ULI process to determine how this and the Ocean Club development would fit into the grand scheme from 5th Avenue southward. Commissioner Katz did not want anyone to go into this thinking they could offer potential tax increment monies from condominiums if the City permitted their construction. She did not want that to be part of the picture. Commissioner Katz wanted to know how the aquatics facility could work with everything else, but she did not want to discuss condominiums or land swaps. Mayor Naugle was comfortable with that. Mr. Blosser noted that the \$16 million redevelopment of Bahia Mar was on track and would be done as quickly as possible. He did not expect it to be a 10-year plan.

Commissioner Smith pointed out that the City had to address the aquatics facility, particular as other communities were striving to become the preeminent site for swim meets. That had to be done quickly, and he did not think it could be done. He felt the Commission should be honest with the public and just renovate the existing facility with the recognition that it would probably not be the place for future competitions, but a local facility. Mayor Naugle disagreed. Commissioner Hutchinson said that if the funds could be identified, she was prepared to support renovation of the pools. She did not think a village had to be built to make a good swimming facility. Mayor Naugle felt that as the tax increment money became available, the City could replace the pool and create a world-class aquatics facility.

Commissioner Smith did not believe there would be enough tax increment money to rebuild the pools to international standards. Mayor Naugle said there was some money already. Commissioner Smith believed that limited increment had already been committed to streetscape features. He was resigned to the fact that Fort Lauderdale would not host the international swim meets, at least in the near future. Mayor Naugle was confident the City could provide a world-class facility and that the increment monies would be forthcoming. He thought the City Manager could figure out when that money would be available and how much it would cost to refurbish the facility. Other funding sources could also be considered. Commissioner Smith acknowledged that could happen one day but not soon.

Commissioner Katz believed there was some way to publicly fund the needed improvements soon, perhaps through a bond. Commissioner Smith suggested that staff provide a report because the information he had indicated otherwise unless money was redirected from the other improvements at the beach.

Action: As discussed.

I-H – Proposal for Annexation of North Andrews Neighborhood

A discussion was scheduled on a request from the unincorporated community known as the North Andrews Neighborhood on the City's desire to appear on the 2003 Legislative Session bill to annex this neighborhood.

Action: Approved as presented.

I-I – City Attorney Recruitment

The City Commission was scheduled to review information on the 8 semi-finalist applicants and consider the next steps in the recruitment process for the position of City Attorney. It was consensus of the Commission to narrow the field to 3 to 5 candidates. Mayor Naugle felt all of the semi-finalists were well qualified. Commissioner Katz understood the idea was to reduce the number of applicants and conduct background checks on the remaining individuals. Commissioner Hutchinson wondered if the background checks could be conducted prior to the next Commission meeting. Mayor Naugle believed so.

Commissioner Katz wanted to ensure that there was no learning curve by retaining someone who had the proper experience and understanding of City issues. Mayor Naugle noted that there were 8 other Attorneys serving the City. The City Attorney added that another position would also be filled soon, and there was another vacancy as well. Mayor Naugle asked how many staff prosecutors there were, and the City Attorney replied that there were two at this time.

Commissioner Moore noted that this was the first time the City would have its own full-time City Attorney in-house, so it was very important, particularly in light of the very sensitive issues being addressed. He agreed with Commissioner Katz that a seasoned Attorney was necessary even though there was competent support staff because they needed a director. Commissioner Moore agreed all 8 of these candidates were well qualified, but he wanted someone who was seasoned and far removed from the political process. He also wanted someone with a true understanding of municipal law.

The Commission listed their choices of finalists:

Commissioner Katz	Harry Stewart Lindsey Payne Maria Chiaro
Commissioner Smith	Kathleen Burgener Maria Chiaro Lindsey Payne Jeffrey Siniawsky Harry Stewart
Commissioner Moore	Maria Chiaro Quinn Jones, III Harry Stewart Lindsey Payne Marcia Cooke

Commissioner Hutchinson

Kathleen Burgener
Jeffrey Siniawsky

Mayor Naugle

Marcia Cooke

While the City Clerk tabulated the results, the Commission decided to conduct background checks on the 3 finalists and conduct public interviews on June 18, 2002. The City Clerk reported the votes received by each semi-finalist:

Kathleen Burgener	2
Maria Chiaro	3
Marcia Cooke	2
Quinn Jones, III	1
Lindsey Payne	3
Jeffrey Siniawsky	2
Harry Stewart	3

Commissioner Moore suggested that the 3 candidates who had received 3 votes should proceed to the background check and interview stage. Commissioner Smith supported the idea.

Commissioner Katz wondered how long each applicant would be given for the public interviews. Mayor Naugle suggested up to 5 minutes. Commissioner Katz did not think that was enough time. Commissioner Smith did not think the time should be restricted. It was agreed.

The City Manager suggested that the Commission might want to develop a list of questions they might wish to pose to each to ensure fairness and consistency. Mayor Naugle thought the Commission should be allowed to ask whatever questions they wished. Commissioner Smith understood the idea was to allow all 3 candidates to answer the same questions.

Action: Background checks to be conducted on 3 finalists and public interviews to be scheduled for the June 18, 2002 Conference Meeting.

II-A – Possible Alternative Funding Sources for Joseph C. Carter Park Improvements and Status of the Balance of Funds from the 1996 General Obligation Bond (GOB) Projects

A report was presented on possible alternative funding sources for Joseph C. Carter Park improvements and the status of the balance of funds from the 1996 Parks GOB projects.

At 4:48 p.m., Mayor Naugle left the meeting. He returned at 4:50 p.m.

Commissioner Katz felt she had to go on record as indicating that Commissioner Moore had received his fair share, but District IV had received the least of all the districts. She stated that projects amounting to \$11 million had been provided in Commissioner Moore's district, but only \$5 million had been spent in her district. She felt Commissioner Hutchinson had a right to complain, but not Commissioner Moore.

Commissioner Moore pointed out that Carter Park was a historic park. He noted that the park had been built for the “colored population” during segregation. Further, he believed substantial investment had been made in District III because that’s where the children lived. Commissioner Moore felt funding for Carter Park was essential, and he was pleased with staff’s proposal, but he thought it was necessary to fund it all. He understood the project was still short \$400,000. Mr. Greg Kisela, Assistant City Manager, noted that it was recommended that \$535,000 come from money allocated for the Hall of Fame. Commissioner Katz felt that money should be retained for the barrier island. Commissioner Smith agreed. Commissioner Moore pointed out that the plan for Carter Park was ready to go, and there would be other money for the beach in the future.

Commissioner Smith understood \$200,000 would come from a FRDAP grant, and he wondered if the City could apply for another \$200,000 grant next year. Mr. Kisela stated that there were 3 projects “in the hopper,” including Palm Aire, Riverland and Carter Parks. Mr. Vince Gizzi, Parks & Recreation Department, stated that as those projects were closed out, the City could seek more money next year. Commissioner Moore pointed out that seeking another grant next year was just a “maybe.” Commissioners Smith and Moore supported staff’s recommendation to use the money from the identified sources.

Mr. Gene Ingles stated that he had just spoken to the owner of the Scherer’s building, and he had agreed he would take a swap of property. He recommended use of the property on Birch Road, and said \$17 million was being offered.

Mayor Naugle said he would also support the City Manager’s recommendation.

Mr. Kisela stated that bids had not yet been received for the Riverland project, so the cost might be less than projected. Therefore, the gap might not be as great as indicated. Commissioner Smith suggested that staff “keep their eyes open” for leftover money from that project and others to see what money could be redirected.

Action: Approved.

III-B – Advisory Board Vacancies

1. Board of Commissioners of the City of Fort Lauderdale Housing Authority

Action: Deferred.

2. Community Appearance Board

Action: Deferred.

3. Community Services Board

Commissioner Hutchinson suggested the appointment of Ruth Marx to the Community Services Board. Commissioner Smith appointed Robert H. Smith.

Action: Formal action to be taken at Regular Meeting.

4. Economic Development Advisory Board

Action: Deferred.

5. Historic Preservation Board

Commissioner Moore wanted to appoint Carolyn Dandy to the Historic Preservation Board.

Action: Formal action to be taken at Regular Meeting.

6. Northwest-Progresso-Flagler Heights Redevelopment Advisory Board

Action: Deferred.

7. Parks, Recreation and Beaches Advisory Board

Mayor Naugle wished to appoint Victoria Pisto-Revier to this Board.

Action: Formal action to be taken at Regular Meeting.

IV – City Commission Reports

1. ULI Conference

Commissioner Katz reported that she had attended the ULI Conference at the Hilton Hotel, and there had been discussion about transportation, master planning, and efforts in other communities. She said she would provide additional information at the next meeting.

Action: None.

2. Special Event – Joseph C. Carter Park

Commissioner Moore said he had received a facsimile about a special event scheduled for June 17, 2002 at Joseph C. Carter Park. He asked staff to review the request before the Regular Meeting.

Action: Staff to review.

3. Police Detail Report

Commissioner Moore thanked the Police Chief for the Detail Report, and he felt the Commission should discuss it. He felt the staffing issues should be addressed to evenly distribute resources in areas of need.

Action: As discussed.

4. Neighborhoods USA Conference

Commissioner Hutchinson said she had attended the Neighborhoods USA Conference recently in Houston with a contingent of residents. She wanted to have them make a 5-minute presentation to the City Commission. Commissioner Hutchinson also had a 3-minute video about the metro rail project being done in downtown Houston and scheduled for completion in 2004. It involved 7 miles of slow moving transit, and the ULI had also been involved. Commissioner Hutchinson said she had a great deal of information to share with the Commission, but there did not seem to be opportunities for that sort of thing.

Action: As discussed.

5. Campaign Finance Reform

Commissioner Smith stated that an elected official from Hollywood had requested information from him about campaign finance reform, so it appeared a trend had been started.

Action: None.

6. Metropolitan Planning Organization (MPO)

Commissioner Smith reported that the MPO would be meeting on Thursday, and he wondered if anyone was making any headway on obtaining votes for retention of the City's two seats. Commissioner Hutchinson said she had sent some letters, and Mayor Naugle said he planned to make some calls tomorrow. Commissioner Moore said he would as well.

Action: As discussed.

7. Florida Fire Prevention Code

Mayor Naugle said he had discovered an issue recently with respect to the new Florida Fire Prevention Code. Apparently, this Code would require the retrofitting of many buildings with automatic sprinkler systems, and the City had informed property owners in March. He understood there was a 12-year period in which such systems could be installed, but the City was requiring owners to file a compliance plan within 180 days. Mayor Naugle suggested development of a customer friendly plan to address the new requirement because vendors often took advantage of such requirements. He noted that prices tended to come down over time.

Mayor Naugle suggested some type of pilot program in which the Fire Department assisted, perhaps by seeking proposals for 4 or 5 buildings that were representative of the different types of buildings that could be affected. He hoped that would bring down the cost of compliance rather than a large number of building owners trying to handle this independently.

The City Manager stated that there had been some outreach in this regard, and the cost could be amortized over a period of time. Staff had also examined how many companies were available to do the necessary work. The Fire Chief advised that the legislation had required submission of plans for compliance within 180 days. He noted that the 180 days would start at the time of annual fire inspections. He stated that the Fire Department was being proactive and working with citizens in this regard, and staff was working on some alternatives to sprinkling an entire building. The Fire Chief acknowledged that these requirements could be very costly, but there was a 12-year period over which the costs could be amortized.

Mayor Naugle wanted everyone to be safe and to comply, but he wanted the City to do everything possible to assist. Commissioner Moore suggested that staff be allowed to make a presentation to the Commission in this regard. Mayor Naugle asked how many letters had been sent out, and the Fire Chief estimated that there were 60 buildings that would be affected.

Mayor Naugle suggested that a workshop be scheduled to assist with building owners. Commissioner Smith suggested that the workshop also be broadcast on Channel 38. Commissioner Katz wondered if the City could lobby the State Legislature, and Mayor Naugle asked that the City's State Representatives and Senators be invited to attend the workshop.

Action: As discussed.

8. Land Preservation Board Recommendations

Commissioner Smith reported that the County Commission had approved acquisition of the five sites recommended by the Land Preservation Board within Fort Lauderdale. They included the Hort School addition, Southside School, Dolphin Isles, Sistrunk site, the Pier property, and the site at 42nd Street and A-1-A. Mayor Naugle understood the sellers would have to be willing to sell at the appraised values, and he wondered how that looked. Commissioner Smith noted that \$2 million had been approved for the Pier property, but it would cost \$5 million, so that did not look too promising. Commissioner Katz was hopeful in that respect because there was a developer interested.

Commissioner Moore wondered if the money for one acquisition could be used for another if the first did not work out for some reason. Commissioner Smith thought that was a good question because there was still money left. Mayor Naugle suggested that a strategy be developed to obtain money from unclaimed funds and to ensure that monies allocated but not spent for the sites identified be retained for use in Fort Lauderdale. Commissioner Smith agreed.

Action: As discussed.

V – City Manager Reports

1. Preliminary Tax Base Figures

The City Manager noted that a memorandum had been distributed about the preliminary tax base figures. For budget planning purposes for the 2002/2003 tax roll, \$15,732,094,436 was the project tax based, compared to last year's \$14,308,104,759. Mayor Naugle believed the tax base had gone up over 8%, and the County's tax base had gone up over 7%. Commissioner Smith believed that was stronger growth than anticipated, and the City Manager agreed. Commissioner Moore asked that staff provide a breakdown based on the two CRAs.

Action: As discussed.

2. Redistricting Map Software

The City Manager circulated information about how neighborhoods and other external groups could have redistricting maps prepared. Mr. Pete Witschen, Assistant City Manager, stated that there was a software program that could be purchased for \$40,000 to \$50,000 that could be made available on the Internet. Staff proposed that two days be set aside for groups to come in for assistance with preparing maps at a more nominal cost of \$2,000. Commissioner Moore felt the public should be able to shift the boundaries on their home computers. He was concerned that there would be long lines. Mr. Witschen advised that additional dates could be set aside if there were long lines.

Commissioner Smith suggested that staff let the Commission know if there were long lines. Commissioner Hutchinson thought the hours proposed for June 12, 2002 should be extended. Commissioner Smith asked if North Andrews Gardens could be considered in terms of redistricting. The City Manager did not believe that was possible at this time because if the neighborhood voted to join Fort Lauderdale, it would not be effective until 2005. Mayor Naugle felt it could be anticipated.

Action: As discussed.

3. Federal Courthouse

The City Manager reported that a DDA Charrette about the federal courthouse had been scheduled for June 14, 2002 from 8:30 a.m. to noon at the AutoNation building.

Action: None.

4. Department of Professional Standards Director

Upon questioning by Commissioner Moore, the City Manager reported that telephone screenings were being conducted on the applicants for the Director of the Department of Professional Standards today and tomorrow, and he expected interviews to be conducted on June 24 and 25, 2002.

Action: None.

5. Health Insurance

Commissioner Moore asked the City Manager to provide an update on the health insurance issue on June 18, 2002.

Action: Subject to be placed on June 18, 2002 agenda.

Meeting adjourned at 5:27 p.m.

NOTE: A MECHANICAL RECORDING HAS BEEN MADE OF THE FOREGOING PROCEEDINGS, OF WHICH THESE MINUTES ARE A PART, AND IS ON FILE IN THE OFFICE OF THE CITY CLERK FOR A PERIOD OF TWO YEARS.